

**MALIN, HALEY & DiMAGGIO, P.A.**  
PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

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**OCT 20 2005**

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**TELECOPIER COVER SHEET**

**DATE:** October 20, 2005  
**OUR FILE NO:** 9509.4824  
**TO:** UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS  
**ATTENTION:** EXAMINER H. KAZIMI, ART UNIT 3624  
**TELECOPIER NO:** 571-273-8300  
**FROM:** DALE PAUL DiMAGGIO, ESQ.  
**REGARDING:** COMPUTER BASED PROCESS FOR STRATEGY EVALUATION  
AND OPTIMIZATION BASED ON CUSTOMER DESIRED  
OUTCOMES AND PREDICTIVE METRICS

**TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 12**

[NOTE: IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE, OR IF YOU HAVE ANY PROBLEMS WITH RECEIVING, PLEASE CALL OUR OFFICE AND ASK FOR DEDI]

**SPECIAL NOTE:**

AMENDMENT - AFTER FINAL - NO FEE

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Serial Number: 09/652,576

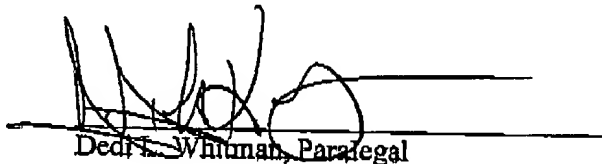
File Number: 9509.4824

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I HEREBY CERTIFY that the following correspondence: *Patent Amendment Transmittal Letter and one (1) photocopy of the same; and Amendment* is being facsimile transmitted to examiner H. Kazimi at the Patent and Trademark Office Fax No. (571) 273-8300, on this 20th day of October 2005.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account No. 13-1130.

  
Deirdre Whitman, Paralegal

Date: October 20, 2005

MALIN, HALEY & DiMAGGIO, P.A.  
CUSTOMER NUMBER 22235  
1936 South Andrews Avenue  
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I:\9509\FORMS\4824.AMEND.FAXING

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Case Docket No. 9509,4824

OCT 20 2005

In re Application of : Ulwick, Anthony W.  
Serial No. : 09/652,576  
Filed : August 31, 2000  
For :

**COMPUTER BASED PROCESS FOR STRATEGY EVALUATION AND  
OPTIMIZATION BASED ON CUSTOMER DESIRED OUTCOMES AND  
PREDICTIVE METRICS**

Fax Amendment - After Final - No Fee  
COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL LETTER**

Sir:

- ☒ Transmitted herewith is an amendment in the above-identified application.
- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA
TOTAL	* 10	MINUS	** 10	= 0
INDEP	* 3	MINUS	*** 3	= 0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

**SMALL ENTITY**

RATE	ADDIT. FEE
x\$25	\$ 0.00
x\$100	\$ 0.00
x\$150	\$ 0.00

**OTHER THAN A  
SMALL ENTITY**

RATE	ADDIT. FEE
x\$50	\$
x\$200	\$ 0.00
X\$300	\$

TOTAL  
ADDIT. FEE

\$0.00

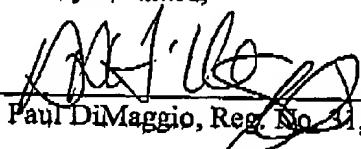
OR

\$ 0.00

- ☐ Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- ☐ A Request for a \_\_\_\_\_ Extension of Time together with a check in the amount of \$\_\_\_\_.00 for the fee is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DiMAGGIO, P.A.  
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(954) 763-3303

Respectfully submitted,

  
Dale Paul DiMaggio, Reg. No. 41,823

CLIENT NO. 22235

I:\9215\fm\4803.amendment transmittal

In re Application of : Ulwick, Anthony W.  
Serial No. : 09/652,576  
Filed : August 31, 2000  
For : **COMPUTER BASED PROCESS FOR STRATEGY EVALUATION AND  
OPTIMIZATION BASED ON CUSTOMER DESIRED OUTCOMES AND  
PREDICTIVE METRICS**

Case Docket No. 9509.4824

Fax Amendment - After Final - No Fee  
COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

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The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	* 10	MINUS	** 10	= 0	x\$25	\$ 0.00		x\$50	\$
INDEP	* 3	MINUS	*** 3	= 0	x\$100	\$ 0.00		x\$200	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					x\$150	\$ 0.00		X\$300	\$
					TOTAL ADDIT. FEE	\$0.00	OR	\$ 0.00	

- ☐ Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- ☐ A Request for a \_\_\_\_\_ Extension of Time together with a check in the amount of \$\_\_\_\_.00 for the fee is attached.
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1\9215\fm4803.amendment transmittal

Respectfully submitted,

  
Dale Paul DiMaggio, Reg. No. 41,823

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OCT 20 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 20, 2005

In re application of : ANTHONY W. ULWICK  
Serial No. : 09/652,576  
Filed : August 31, 2000  
For : **COMPUTER BASED PROCESS FOR  
STRATEGY EVALUATION AND  
OPTIMIZATION BASED ON CUSTOMER  
DESIRED OUTCOMES AND PREDICTIVE  
METRICS**  
Examiner : Kazimi, H.  
Art Unit : 3624  
Our File No. : 9509.4824

**AMENDMENT AFTER FINAL PURSUANT TO § 1.116**

Fax Amendment - After Final  
No Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Examiner's Office Action mailed July 27, 2005, please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.